

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

MCI COMMUNICATIONS SERVICES, INC.,	)	
	)	
	)	
Plaintiff,	)	Civil Action No. 3:10-cv-00187
v.	)	
	)	
W3 CONSTRUCTION, LLC,	)	
	)	
Defendant/ Third-Party Plaintiff,	)	<b>SUGGESTION OF BANKRUPTCY</b>
	)	
v.	)	
	)	
THOMPSON GRADING, INC. and/or THOMPSON GRADING, LLC,	)	
	)	
Third-Party Defendant.	)	
	)	

**PLEASE TAKE NOTICE** that, on May 28, 2010 (the “Petition Date”), Thompson Grading, Inc. (“Debtor”), filed a Chapter 7 petition with the United States Bankruptcy Court for the District of South Carolina (the “Bankruptcy Court”).

**PLEASE TAKE FURTHER NOTICE** that the Debtor’s Chapter 7 case is now pending before the Honorable Helen E. Burris, United States Bankruptcy Judge, and is being jointly administered under the caption *In re Thompson Grading, Inc.*, Chapter 7 Case No. 10-03857-hb.

**PLEASE TAKE FURTHER NOTICE** that as of the Petition Date, no cause of action arising prior to, or relating to the period prior to, the Petition Date, including this action, may be commenced or prosecuted against the Debtor, without the Bankruptcy Court first issuing an order lifting or modifying the automatic stay for such specific purpose. Pursuant to Section 362 of the United States Bankruptcy Code, an automatic stay is imposed upon the filing of a Chapter 7 petition; “the commencement or continuation . . . of a judicial, administrative or other action or proceeding against the debtor that was or could have been commenced before the commencement of the [bankruptcy] case under this title, or to recover a claim against the debtor that arose before the commencement of the [bankruptcy] case . . . .” 11 U.S.C. § 362(a).

CLAWSON & STAUBES, PLLC

s/ Brian E. Wolfe

Brian E. Wolfe

NC Bar No.: 34297

756 Tyvola Road, Suite 130

Charlotte, NC 28217

(704) 940-9128

[bwolfe@clawsonandstaubes.com](mailto:bwolfe@clawsonandstaubes.com)

*Attorney for Third-Party Defendant*

*Thompson Grading, Inc.*

Charlotte, North Carolina  
6<sup>th</sup> day of October, 2010.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing pleading has been electronically filed with the Clerk of District Court using the CM/ECF system which will automatically send notification of such filing to the following :

Martin L. White, Esquire  
Johnston, Allison & Hord, P.A.  
Post Office Box 36469  
Charlotte, North Carolina 28236  
*Attorney for Plaintiff*

Lawrence J. Goldman, Esquire  
Jones, Hewson & Woolard  
831 East Morehead St, Suite 560  
Charlotte, North Carolina 28202  
*Attorney for Defendant/ Third-Party Plaintiff*

This the 6<sup>th</sup> day of October.

CLAWSON & STAUBES, PLLC

s/ Brian E. Wolfe  
Brian E. Wolfe  
NC Bar No.: 34297  
756 Tyvola Road, Suite 130  
Charlotte, NC 28217  
(704) 940-9128  
[bwolfe@clawsonandstaubes.com](mailto:bwolfe@clawsonandstaubes.com)  
*Attorney for Third-Party Defendant*